

C.A., K.P., R.K., and T.H.v. Extended Stay America

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

PL Sum. J.
Ex. 038

C.A., K.P., R.K., and T.H.,

Plaintiff,

vs

CIVIL ACTION FILE NO.

EXTENDED STAY AMERICA, INC.;

1:21-cv-00957-SDG

ESA MANAGEMENT, LLC; and

HVM, LLC,

Defendants.

VIDEOTAPED DEPOSITION OF

K.P.

September 14, 2022

9:53 a.m.

1201 West Peachtree Street, Northwest, Suite 3900

Atlanta, Georgia 30309

Ashley N. Ellis, CVR-7199, CCR

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Also present:

PAIGE BRANTLEY, VIDEIGRAPHER

(Pursuant to Article 10(b) of the Rules of Regulations of the
Georgia Board of Court Reporting, a written disclosure
statement was submitted by the court reporter to all counsel
present at the proceeding.)

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1 A Yes, yes. She knew that I was in an abusive
2 relationship.

3 Q She was also one of the people that encouraged you to
4 get out of it; is that right?

5 A Yes.

6 Q Did you ever tell [REDACTED] that [REDACTED] was forcing
7 you to have sex with other people?

8 A Well, she knew that it -- that he was my pimp.

9 Q But she also knew that he was your boyfriend, right?

10 A But that's not how -- so a part of the
11 manipulation -- a part of how [REDACTED] manipulated me was by
12 making me feel like he was my boyfriend.

13 Q I read in your last deposition that you have not
14 spoken to [REDACTED] in eight months. What happened there?

15 A I don't know.

16 Q What was your last communication with her?

17 A I think I talked to her at the beginning of January,
18 like the first or second day of January, maybe not even --
19 maybe it was December, the end of December, but I don't know.
20 She ghosted me.

21 Q Did she know about this lawsuit?

22 A Yes, I asked if she would be a witness.

23 Q And she's still going to be your witness; is that
24 right?

25 A I don't know.

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1 Q And life was overwhelming at that time?

2 A Yes.

3 Q And when you met [REDACTED], [REDACTED] was showing you a
4 good life, right?

5 MS. MYKKELTVEDT: Object to the form.

6 THE WITNESS: He was very affectionate, and he was
7 just nicer to me than other people.

8 BY MS. MASHELKAR:

9 Q Okay. Did [REDACTED] threaten you in any way to engage
10 in commercial sex?

11 A After -- after I started, yes.

12 Q Okay. At what point?

13 A So many points. I can't even go through every -- I
14 can't even recall every single instance of him threatening me.
15 There were so many.

16 Q Okay. How would he threaten you?

17 A Very creatively. There were lots of different
18 threats that he told me, like about telling my family or outing
19 me in some way or, you know, that he would hurt me or that
20 somewhere else would be worse or that I'm not shit or whatever.
21 Like, it could be anything from coercive to belittling.

22 Q And when you say hurt you, you mean physically?

23 A Yes.

24 Q Okay. Did he physically hurt you?

25 A Yes.

1 Q How many times?

2 A Again, just like the threats, it was not something
3 that I counted. It happened so many times that I can't
4 remember every instance.

5 Q In your last deposition, you said probably around ten
6 times. Is that -- is that fair?

7 A When -- I think in the deposition, they said when --
8 like how many times did I get beat up. And when I say beat up,
9 I mean, like, he beat the brakes off of me. So ten times is
10 probably correct with, like, beating the brakes off of me, but
11 not about how many times did he physically hurt me, because
12 there were so many times that he physically hurt me that didn't
13 involve making absolutely like pummeled. It was a hit or a
14 hair pull or, you know, some other form of physical violence
15 that did not necessarily include a full before body beating,
16 but like a partial one. So that is more than ten times. But
17 actually getting like beat up, beat up, that is probably -- ten
18 times is probably accurate.

19 Q Okay. When you were beat up, beat up the ten times,
20 did you go to the hospital?

21 A There was one instance when I went to the emergency
22 room. Like, it wasn't an emergency room. It was like a quick
23 care place, like, by the Intercontinental in Buckhead. And
24 it's because I -- I was having severe pain in my -- like, my
25 chest and my ribs because he kneed me in my ribs. So I think,

1 Q And this is the same man that beat you?

2 A Yes.

3 Q So as you sit here today, you think you told [REDACTED]
4 that he beat you?

5 A Yeah, yes.

6 Q And you told [REDACTED] that he beat you?

7 A I'm sure that [REDACTED] witnessed or heard me being
8 beat up just like I witnessed or heard her get beat up and
9 [REDACTED] as well.

10 Q So earlier you said that [REDACTED] -- you never told
11 [REDACTED] that [REDACTED] was forcing you to have sex. So what --
12 why did she think he was beating you up?

13 A Because he was an asshole.

14 Q And so, as you sit here today, you're contending that
15 you engaged in commercial sex because you were scared of
16 [REDACTED] and in love with him?

17 A Yeah, I was scared. I was coerced. I was -- I was
18 not -- I was in a vulnerable position.

19 Q When you use the word coerced, what does that mean to
20 you?

21 A It means that I was, like, tricked and also there are
22 methods of coercion that aren't necessarily just physical, even
23 though part of the coercion is physical. There are other
24 things that [REDACTED] did that were coerced over exploiting
25 me -- like, exploiting me in a way that he knew how to

1 purposes.

2 Q So here you're talking about he wants to be with you
3 long term, but he's not ready to commit to a marriage; is that
4 right?

5 A Yes.

6 Q Okay. And then on the first page at the bottom, it
7 says, he's told me he wants key is with me; is that right?

8 A Yes.

9 Q Okay. And your friend says, where do you want to be
10 in five years, and it continues and she actually goes on to ask
11 you 10, 20 years. And at the top, you say I'm scared to leave
12 him behind. So your friend here is telling you that you should
13 leave him, right?

14 A She didn't say that.

15 Q Okay. Did you, in any way, out here say that you
16 were scared of [REDACTED] or that he was beating you up?

17 A No, but there was, again, a duality in our
18 relationship where there was part of the time where it felt
19 like normal boyfriend and girlfriend stuff, and then there was
20 the trafficking side of our relationship so -- and -- so
21 over -- overall, this was a part of me being manipulated by
22 [REDACTED] because he wanted to make me feel secure and like I
23 was loved, and a part of his manipulation tactics to string me
24 along.

25 Of course, he didn't want -- like, looking back now,

1 of course, he didn't want to get married. He didn't give a
2 shit if he had kids with me. He wanted to keep me there so
3 that he could continue to traffic me or manipulate me or take
4 advantage of me.

5 Q Okay. Okay.

6 A So, yeah.

7 Q Mark this as Exhibit 15. And, again, you have to
8 start from the back. In the middle of the page goes haha,
9 little quirk starting to aggravate you. I mean it's just
10 stupid shit. And then on the top you say I just want to be
11 normal. I'm about to write a new resume get a fucking regular
12 job. [REDACTED] says good. Not good is what you say, annoying.
13 [REDACTED] says, but you need to. And you say, I know. So at this
14 point, this is August of 2011, you recognize what you're doing
15 is not normal, right? You say that you want to be normal?

16 A Right.

17 Q Okay. Okay.

18 MS. MASHEKAR: I'm going to use up all your
19 stickers. This is Exhibit 16.

20 (Defendant's Exhibit No. 16 marked for identification.)

21 BY MS. MASHEKAR:

22 Q Again, these are your conversations with [REDACTED]
23 [REDACTED]. At the bottom it says, I love T, but -- and when you
24 say T, you mean [REDACTED]; is that right?

25 A (Nonverbal response.)

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CERTIFICATE

STATE OF GEORGIA:

COUNTY OF FULTON:

I hereby certify that the foregoing transcript was taken down, as stated in the caption, and the colloquies, questions and answers were reduced to typewriting under my direction; that the transcript is a true and correct record of the evidence given upon said proceeding.

I further certify that I am not a relative or employee or attorney of any party, nor am I financially interested in the outcome of this action.

I have no relationship of interest in this matter which would disqualify me from maintaining my obligation of impartiality in compliance with the Code of Professional Ethics.

I have no direct contract with any party in this action and my compensation is based solely on the terms of my subcontractor agreement.

Nothing in the arrangements made for this proceeding impacts my absolute commitment to serve all parties as an impartial of:

A handwritten signature in blue ink, appearing to read "John E. Davis", is written over a horizontal line.

This the 2nd day of October, 2022.